

**MINUTES OF REGULAR MEETING  
OF  
GREENSBORO PLANNING BOARD**

**MAY 19, 2004**

The Greensboro Planning Board met in Regular Session on Wednesday, May 19, 2004 at 2:01 p.m., in the City Council Chambers, 2nd floor, Melvin Municipal Office Building, Greensboro, North Carolina. Board Members present were Chair Patrick Downs, John Rhodes, Dick Hall, Alan Pike (arrived at 2:03), Tim Bryson, Stephen Marks and Mike Fox. Staff members present were Robert Morgan, Acting Planning Director; Alec MacIntosh, Art Davis and Haywood Cloud with the Planning Department; and Steven Carter, Budget & Evaluation Department.

Chair Downs called the May 19, 2004 session of the Greensboro Planning Board into session.

**APPROVAL OF MINUTES OF THE APRIL 21, 2004 REGULAR MEETING. (APPROVED)**

Mr. Bryson moved approval of the minutes of the April 21, 2004 regular meeting as written, seconded by Mr. Rhodes. The Board voted 6-0 in favor of the motion. (Ayes: Downs, Rhodes, Hall, Marks, Bryson, Fox. Nays: None.)

**PUBLIC HEARINGS:**

**A. 2004-05 NEIGHBORHOOD SMALL PROJECTS PROGRAM AND 2004-2010 CAPITAL IMPROVEMENTS PROGRAM. (BOTH RECOMMENDED)**

Steven Carter, Budget and Management Analyst with Budget and Evaluation, provided an overview of the CIP and the Neighborhood Small Projects Program. The CIP is different from a budget in that approval of a CIP does not necessarily represent approval of funds. Projects in the CIP can be changed without going to Council for approval; priorities can change and again funds for the projects within the CIP generally must be approved on an annual basis or are approved through the referendum process. The Capital Improvements Program includes a 6-year period and is updated on an annual basis. He provided several examples of CIP projects. The project must cost at least \$100,000, with a useful life of at least 10 years. Major maintenance projects are not generally included in the CIP. Mr. Carter explained that the operating budget affects the CIP in three ways: 1) operating funds, 2) debt service for authorized bonds must be budgeted to pay for the bonds and 3) operating impacts of new facilities.

Mr. Carter presented the 2004-2010 CIP that totals \$473.9 million. The various categories are provided below:

- Environmental protection represents the largest service category (47 percent) totaling \$222.4 million. Projects included are the sewer system replacement and expansion, Latham Park; water line replacement system and expansion; Bledsoe job pump station and force main; total nitrogen upgrades to meet House Bill 515 at both North Buffalo and T.Z. Osborne Treatment Plants; and also various storm water projects and

improvements .

- Transportation represents 22 percent with \$105.8 million that includes major collector and thoroughfare construction.
- Culture and recreation. This includes Parks & Recreation, libraries and coliseum. Culture and recreation represent 17 percent of the total CIP with \$79.7 million in total funding.
- Public safety represents 8 percent of the total CIP with \$38.8 million.
- Economic and Community Development represents 5 percent of the total CIP, with \$24.6 in total funding.

Revenue bonds represent 40 percent of the CIP (\$190.3 million). Authorized bonds represent 19 percent of the CIP (\$90.8 million). Mr. Carter indicated that authorized spending under authorized bonds had decreased 16 percent or approximately \$17 million since last year as a result of project construction. Unauthorized bond spending or programming for projects is up 158 percent from the previous year (\$52.8 million). Unauthorized bonds are projects that require the passage of a bond referendum. The unauthorized bonds represent 18 percent (\$86.1 million).

Eight funding sources are used for CIP expenditures. Enterprise funds represent 7 percent (\$34.6 million) Enterprise funds are funds that are appropriated on an annual basis from operating departments such as Water Resources and Parking Decks. These operations create their own revenues. State funds are used to fund transportation projects and represent 8 percent of the total CIP or \$38.9 million. Grants and other funding represent 5 percent of the total CIP and are generally available for some Parks projects and Economic and Community Development projects. Street and Sidewalk funds represent 2 percent of the total CIP or \$7.7 million. Capital Reserve from the General Fund represents 1 percent of the total CIP or \$2.9 million. There is no Capital Reserve Funding programmed in years 1 or 2. This is because Council policy requires that this fund maintain at least \$10 million in it. If the balance of this fund drops below \$10 million, then we are not allowed to fund projects from this and that is the current status. They project that by year 3 they will again be able to use this as a funding source.

The final component of the CIP is the Neighborhood Small Projects Program. This program provides up to \$100,000 is available for projects submitted by neighborhood organizations. This funding source is available annually with no carryover. They will not always spend the full \$100,000 in a given year on these projects. These projects are first reviewed by City Departments to see if the project itself is feasible and consistent with City policies. Once the project makes it through that original sorting criteria, the project is reviewed by a Committee comprised of Departmental staff and Citizen reviewers, 9 projects were submitted and reviewed by the Committee. The requests valued over \$150,000. Of those 9, 6 were recommended by the Committee, which were landscaping and signage at Warnersville Rec Center, landscaping and fencing at Peeler Rec Center, the creation of a community garden in the Tolbert Community, addition plantings at Fisher Park, trash receptacles at Fisher Park and restroom improvements at Lake Daniel Park in the Westerwood Neighborhood. The total funding for projects recommended this year for the Neighborhood Small Projects Program is \$71,315.

Mr. Rhodes said his question was more of a concern, although in the form of a question. As he was looking through the CIP summary, the categories on the first sheet that he has, and he started looking at Public Safety, Transportation and so forth. He got to the area of Economic and Community Development and he saw that figure being the lowest, next to public safety, on their expenditures. He was wondering about that because we constantly talk about Greensboro Connection 2025 and those kinds of things and projects, he was wondering the ranking. Economic and Community Development seems to play a larger role with him than Culture and Recreation. The first item under Neighborhood

Development is a questionable item today. Over a 2-year period, we have planned to spend \$4.25 million on that project. His problem with that, initially when HOPE VI started, he had to do with equity in hiring of persons to do the work on HOPE VI. Initially when HOPE VI was presented, some of them in various communities were concerned about the distribution and that is a \$77 million project and it is in the heart of the black neighborhood where people were disenfranchised to do this project. What they were concerned about - "they" being the Greensboro Housing Authority (GHA) and WCP and then City Council and various others - was they wanted to make sure that there was equity involved in the distribution of this money. There are some questions regarding equity. They were concerned, particularly with Greensboro spending close to \$5 million in this project and it is a \$77 million project and thus far the money hasn't been spent on just a 5-phase project. Phase 1 is complete and then Phase 2 and that equity has not been a part of their program, so they are concerned about that and there will be some further discussions. There will be some things done to address that somehow, but he was just concerned about the \$5 million in Greensboro spending and most of this money is being spent for mechanics and contractors who do not reside in Greensboro. They wanted to make sure that some of that distribution will be somewhere in the City of Greensboro.

Mr. Davis asked if that question was on contract and the construction of projects. Mr. Rhodes responded yes.

Mr. Marks said he found it interesting when they looked at the budgets and they start spreading this thing out for the 6 years that we're talking about, there seems to be from Year 3 to Year 4 some big swings. All of a sudden you go from \$4.7 million in public safety to \$12 million. At the same point, transportation comes down almost 50 percent. There are some big variations. Is there something that happens? To see the number swing so dramatically from one direction to the other concerns him on the validity of Year 3, Year 4 type numbers out there. Any particular reason why we would see those kinds of variations?

Mr. Carter said that those projects are generally following the flow of the funding. As you get 2 or 3 years out, you will see an additional bond referendum starting to come, so he would expect funding to sort of pick up at that level. Other projects may wane as the current referendum is spent.

Mr. Marks said they talked about in Environmental, but really in the Water Resource side of it, where does the Randleman Dam money start kicking in. He saw one or two small investments on our part, but he was wondering if that would fall under CIP for the City of Greensboro because at one point the City has to come up with some pretty good money for our share of this project.

Mr. Carter said he knew there was a payment included in this CIP for sort of overruns on the dam itself, as well as the building of a lake. On page 15, you will see in Year 1 a payment of about \$4.45 million and he knew that was for Randleman.

Mr. Marks said there was one other payment in there somewhere, but he had heard much bigger numbers projected for Randleman and he didn't know whether we are in for a third of it or 25 percent of it, but it seemed like these numbers aren't sufficient to cover our obligation.

Mr. Carter said he could not speak to that. He would have to contact Water Resources to find out the information concerning how much of the total expenses are included in the CIP.

Mr. Marks said on the Transportation side, there is money allocated for Friendly Avenue. Is that for that project where we talked about widening it or putting a turn lane or median in it?

Mr. Carter said he would check the description of that project. He said the description of that project was on page 174 and he really didn't have additional information, other than what is included in the book.

Mr. Pike said he would ask a curiosity question. When you look at the unauthorized bonds portion on page 8, if he was reading that properly, the authorized bonds' numbers are obviously going down because they were all authorized in 2000. So at some point in time, we're going to have to go back to the voters for another authorized bond. If he read that correctly, it would certainly appear that we would have to get there before FY06.

Mr. Carter said he believed that was correct and the funding or the projects that they would be moving forward are listed under the unauthorized bond category. As it is programmed right now, they would expect, he presumed, to be going out for somewhere in the neighborhood of \$90 million in the next referendum.

Chair Downs said he had a question on the Neighborhood Small Projects Program and perhaps Mr. Davis could best respond to this. It looks like there were 9 submittals, 3 got kicked out and that left 6 and of the 6 it looked like 4 of those were contingent on allocation of maintenance dollars. What will be the process of that determination as to whether or not those projects will be funded and when will that be known?

Mr. Davis said of the 6 that were recommended, several of those required maintenance and that included those and they were recommended. They have to go back out to the respective departments to determine what the maintenance costs would be over the long term because anytime you have a capital, you need in many cases to look at the implications of long term maintenance and they did receive that information from those respective departments.

Chair Downs said so the information had been received and those projects are now fully recommended by staff.

Mr. Davis said that was correct; the 6 projects are fully recommended.

Mr. Carter added that those maintenance costs are included in the operating budgets of the departments so they are included in the budget that will be presented to Council.

Chair Downs said what that showed to him was that this program is working and good projects are being funded and he thought that was great news.

Chair Downs said this was a public hearing so if there was anyone here to speak to speak in favor of the 2004-05 Neighborhood Small Projects Program or the 2004-10 CIP, they should come forward.

Jim Donnelley with East Market Street Development Corporation, located at 1106 East Market Street, said that Faney Gilchrist from the Tolbert Neighborhood and he spoke at the last Planning Board

hearing about the Tolbert Project and they were just here today to answer any questions and express their appreciation that the project was recommended as a part of the Neighborhood Small Projects Program.

Chair Downs said he was impressed with the thoroughness that Mr. Donnelley and Mr. Gilchrist had come here today to submit this funding. He asked if any of the Board members had any questions?

Chair Downs then asked if there was anyone present who wished to speak in opposition to the 2004-05 Neighborhood Small Projects Program or the 2004-10 CIP, they should come forward. No one came forward.

Mr. Marks moved that the public hearing be closed, seconded by Mr. Bryson. The Board voted 7-0 in favor of the motion (Ayes: Downs, Rhodes, Hall, Pike, Bryson, Marks, Fox. Nays: None.)

Chair Downs asked if there were a motion recommending the 2004-10 CIP and recommending the 2004-05 Neighborhood Small Projects Program, both being recommended to the City Council, City of Greensboro?

Mr. Marks moved to favorably recommend to the City Council the 2004-10 CIP and the 2004-05 Neighborhood Small Projects Program, seconded by Mr. Bryson. The Board voted 7-0 in favor of the motion. (Ayes: Downs, Rhodes, Pike, Hall, Bryson, Marks, Fox. Nays: None.)

**B. ORDINANCE CHANGING THE NAME OF THE PORTION OF LELAND DRIVE NORTH AND EAST OF WIRELESS DRIVE TO CAROWILL DRIVE. (RECOMMENDED)**

Mr. Cloud said Ms. Cora Boyd, who lives at the only house on this section of the street, has requested the change of the name of the portion of Leland Drive north and east of Wireless Drive to Carowill Drive. Hers is the only house addressed on this section. In May 2002, this portion of the street was dedicated as an extension to Leland Drive, which you see to the west of Wireless Drive. In November 2003, City Council voted to close the portion of Leland from Wireless westward for a distance of 10 feet. With that closing, there are now two unconnected travelways bearing the same name, which has created confusion for the postal service and the affected property owner. Staff felt that the situation needed to be addressed to prevent any further problems that may involve the safety of the property owner, i.e., response by police, fire or anything of that nature. Therefore, the Technical Review Committee (TRC) recommends this street name change.

Mr. Hall said Wireless Drive runs right into this street section. If we changed it to Wireless Drive, we wouldn't have to do any more signage out there and pay for it. To him, that kind of made sense.

Mr. Morgan said the street would be extended in the future. One family owns all the undeveloped property to the east and they also sold the property that the Blumenthal Home is on, so sometime in the future the property to the right on the screen will be further developed and will connect up to another subdivision.

Mr. Hall asked why could they not address changing it from Wireless to Carowill at the time somebody is proposing a plan of development for that piece of property.

Mr. Morgan said this was a very convoluted episode during the development of this property. There was a lot of miscommunication between the developers of the Blumenthal property and the neighbors on Leland Drive. The owners of this property have an engineer who is representing the family and the Blumenthals and, basically, this recommendation before you makes the original owner happy, makes the post office happy and it is just the easiest way to deal with it. He would ask and recommend to the Board that it endorse this change. The City will pay for changing the signage.

Mr. Morgan explained that the idea was that Leland would not be opened up.

Mr. Hall said when Council had its hearings down here, this thing was a nightmare. The people on Leland Drive were up in arms over traffic coming through. Blumenthal Home over here on Wireless, the Boyds up there at the end of the street had some issues, and he had a feeling this was just an appeasement thing now.

Mr. Morgan said he was not going to try to hide that fact. This just made a whole lot of people happier.

Chair Downs asked where the Carowills live.

Mr. Morgan said it was a made up name suggested by the family.

In response to a question from Chair Downs, Mr. Morgan confirmed that this was the last piece of the connectivity issue as it relates to this property, the last gasp.

Mr. Rhodes said he frequented this area. He was concerned here that if they were not putting the cart before the horse. At the end of Leland, sometime ago we voted to close Leland Drive for the benefit of the neighbors there. Has Leland been physically closed yet?

Mr. Morgan said he hadn't been out there in about 60 days. The last time he was out there, there were temporary barricades up. They had not constructed the permanent structures.

Mr. Rhodes said that question had come to him again from some persons in the neighborhood.

Mr. Morgan said staff would have to get back with Mr. Rhodes on that. The last time he asked, he was told that it was on the schedule and he didn't push it any further than that. Staff would find out exactly when it is on the schedule.

Chair Downs said he wanted to thank staff. He always appreciates it when humor is brought in to the Planning Board here and we can enjoy ourselves.

Chair Downs asked if there was anyone present who wished to speak in favor of or in opposition to this request, and no one came forward. Chair Downs declared the public hearing closed.

Mr. Hall said he knew this was an appeasement thing, but there is something wrong with going out there and doing this long before there is any firm plan of development over the rest of the property. There at the end of Wireless Drive, if you have to change it because of confusion, make it Wireless

Drive for the time being to help the post office, but to just do a little patch of street and go out there with the cost of redesignating and putting it on maps indicated to him that this was an uncomfortable thing down here at City Hall apparently.

Mr. Morgan said he had a problem naming it Wireless Drive because it is on some preliminary plans that that road will be extended and connected up to some other subdivisions. He thought if it were made a part of Wireless Drive, it might give the mistaken idea that this is a cul-de-sac and that is where the road is going to end.

Mr. Hall said all he was saying was that you could come back in a subdivision plat and change it to something else later one when the roads are being built.

Mr. Morgan said this was one area in which he had had a lot of experience in dealing with neighborhoods and roads that look like they are cul-de-sacs or roads that look like they are going to end. He thought they had a better chance of communicating the correct message to the public by putting another name there, that this road is going to go somewhere and the only reason we changed the name was because an agreement was made by Council to put the barricade up and not continue it. So he thought in the long run, it was a better way to solve the problem.

Mr. MacIntosh added that another thing was Wireless was a north/south street so it has a north/south numbering scheme. Leland before and Carowill, if the name is changed, are set up to be east/west streets and would normally take an east/west type numbering scheme.

Mr. Pike moved to recommend the name change to Carowill Drive, seconded by Mr. Rhodes. The Board voted 6-1 in favor of the motion. (Ayes: Downs, Rhodes, Pike, Bryson, Marks, Fox. Nays: Hall.)

**DRAINAGEWAY AND OPEN SPACE RECONFIGURATION - ALONG THE REAR PROPERTY LINE AT 5 DOVERCREST COURT (PLAT BOOK 119, PAGE 32.) (APPROVED)**

Mr. Cloud said the process for approval of this reconfiguration is parallel to what staff and the Board do with easement releases. The property owner of #5 Dovercrest Court and the Parks & Recreation Department have agreed to reconfigure some drainageway and open space to suit both parties. He then placed on the monitor a map on which the properties were shown, indicated where the drainageway and open space IS now and where it would move to.

Chair Downs asked what was the story behind this reconfiguration?

Mr. Cloud said he thought the property owners wanted a swimming pool and they came to staff asking questions about doing this to meet the setbacks. They were wondering if they could reconfigure the drainageway and open space that was dedicated, move the property line, thereby change where the setback line falls.

Mr. Cloud said Parks & Recreation worked along with the property owner, too.

Chair Downs asked if the City's Stormwater folks have a role in maintenance. Is there an intermittent

stream or any watercourse that is attached to or that flows through that section of the property?

Mr. MacIntosh said there was something very small, he believed. The drainageway and open space is the actual dedication to the City, and then there is a drainage maintenance and utility easement beyond that. He thought this was mainly dedicated as an access between the main stream, which is to the west, and the public street to the east.

Mr. Rhodes said he was concerned about the property south of the new configuration here. Whose property is that? Does the reconfiguration affect the property owner and has that property owner been given any kind of concession?

Mr. Cloud said no, the drainageway and open space just moved south a little.

Mr. MacIntosh said the replacement area was Koury property associated with a Grandover golf course, he believed, not another house lot. Mr. Cloud said that was correct.

Mr. Pike moved approval of the drainageway and open space reconfiguration, seconded by Mr. Bryson. The Board voted 7-0 in favor of the motion. (Ayes: Downs, Rhodes, Hall, Pike, Marks, Fox, Bryson. Nays: None.)

#### **EASEMENT RELEASES:**

- A. RESOLUTION AUTHORIZING RELEASE OF 5.67-FOOT-BY-74.50-FOOT SECTION OF 20-FOOT DRAINAGE EASEMENT AT 1916 AND 1918 SHEPHERD'S WAY. (APPROVED)**
- B. RESOLUTION AUTHORIZING RELEASE OF RESIDUAL PORTIONS OF 25-FOOT SANITARY SEWER EASEMENT ON LOTS 199 AND 200 AND MASTER COMMON AREA AS RECORDED IN PLAT BOOK 110, PAGE 109. (APPROVED)**
- C. RESOLUTION AUTHORIZING RELEASE OF 5 FEET OF 10-FOOT UTILITY EASEMENT ALONG NORTHWESTERN PROPERTY LINE AT 2417 LANE ROAD. (APPROVED)**
- D. RESOLUTION AUTHORIZING RELEASE OF PORTION OF 20-FOOT SANITARY SEWER EASEMENT CROSSING THE VILLAGE AT NORTHSIDE PROPERTY. (APPROVED)**
- E. RESOLUTION AUTHORIZING RELEASE OF PORTION OF 15-FOOT SANITARY SEWER EASEMENT THROUGH LOTS 10-14 OF WHITE CHAPEL SUBDIVISION ON WHITE CHAPEL WAY, THIS RELEASE TO BECOME EFFECTIVE AFTER A REPLACEMENT SEWER LINE HAS BEEN INSTALLED AND ACCEPTED AND COVERED BY A PLATTED EASEMENT. (APPROVED)**

Mr. Cloud said that all the relevant utility companies and City of Greensboro departments have agreed to release the five easements.

Mr. Rhodes moved approval of the five easement releases, seconded by Mr. Marks. The Board voted 7-0 in favor of the motion. (Ayes: Downs, Rhodes, Hall, Pike, Marks, Bryson, Fox. Nays: None.)



**ITEMS FROM THE DEPARTMENT:**

**A. REQUEST TO CALL A PUBLIC HEARING ON CHANGING THE NAME OF A PORTION OF BURLINGTON ROAD TO RICHARDSON VILLAGE WAY (ON THE INSIDE-CITY-LIMITS SECTION ONLY, AS THE COUNTY HAS ALREADY DONE THE SAME NAME CHANGE ON THE LONGER SECTION OUTSIDE THE CITY LIMITS.) (PUBLIC HEARING CALLED)**

Mr. Cloud said this item requested that a public hearing be called on changing the name of a portion of Burlington Road to Richardson Village Way. The shaded area was from a previous satellite annexation. The County changed the street name on the portion that lies outside of the satellite annexation, so we are just following suit to change the remainder of it to Richardson Village Way. If this request is approved, the public hearing will be on next month's agenda and there will be more information supporting the name change.

Mr. Fox moved that a public hearing be held next month on changing the name of a portion of Burlington Road to Richardson Village Way, seconded by Mr. Marks. The Board voted 7-0 in favor of the motion. (Ayes: Downs, Rhodes, Hall, Pike, Bryson, Marks, Fox. Nays: None.)

**ITEMS FROM THE CHAIRMAN:**

Chair Downs announced that J.P. McIntyre was the father of a new son.

**ITEMS FROM BOARD MEMBERS:**

Mr. Fox said he would like to thank the staff, particular Mr. MacIntosh and Mr. Morgan, who have been very helpful to him over the past several weeks. He was going to be teaching a continuing legal education course for lawyers in June and a couple of the topics that he was working on are subdivision and annexation. He had decided to use as an example in the handouts one of our annexation reports as an example of something that was well done and thorough.

Mr. Pike said he was just curious, but were they going to go back and revisit the Comp Plan in terms of where we are in the process and what our role is in that at some point?

Mr. Morgan said since the joint meeting, the Council had a briefing last month where they made some decisions about how to deal with some things. They gave us four directives. Staff has responded back as to how they would implement those directives and it would impact this Board. Council indicated a desire to see all rezoning requests that were in conflict with the Comp Plan. At the same time, they did away with the 10-acre requirement. So this basically kicks any rezoning requests that are in conflict with the Plan up to the Council to review as a full Council. One of the tricks of that situation though is that the plan amendment has to be reviewed by this Board and the rezoning matter has to be reviewed by the Zoning Commission. So the easiest way to keep things on schedule is to have this Board every other month meet with the Zoning Commission at its scheduled date in order to have a joint hearing on those zoning cases and plan amendments. Another thing is they want us to simultaneously deal with zoning requests and plan amendments. If the rezoning case is approved with the plan amendment, that amendments will go on the Land Use Map and those items would be parcel specific. There are a

few kinks in doing that and some of those he has shared with the Board. Staff has kind of outlined those to Council basically saying: "We can do this with a little bit more clarification on how you are thinking about this and how you think about that." We will get some further feedback at the next briefing about some changes or some additional things they want us to do. So hopefully following this briefing, the Council will have given us all the directives. And if they go through with what they have directed us to right now, there will be an amendment to the Zoning article of the Development Ordinance because it will affect what items go to Council and the Zoning Commission. Also the Comprehensive Plan will have to be amended to reflect these changes and both the Planning Board and the Zoning Commission rules and regulations will have to be amended to accommodate these changes, too.

**SPEAKERS FROM THE FLOOR ON ITEMS UNDER PLANNING BOARD AUTHORITY:**

None.

**APPROVAL OF ABSENCES:**

Mr. Hall moved approval of the absences of Mr. McIntyre and Mr. Koontz, seconded by Mr. Pike. The Board voted 7-0 in favor of the motion. (Ayes: Downs, Rhodes, Hall, Pike, Bryson, Marks, Fox. Nays: None.)

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There being no further business before the Board, the meeting was adjourned at 3:08 p.m.

Respectfully submitted,

Robert Morgan  
Acting Planning Director

RM/jd.ps